

1 lands to the state, and such corporation shall thereafter be barred and foreclosed of
2 all rights and interests in or to the lands so adjudged to be forfeited and restored to
3 the state, and of all right to in any manner thereafter acquire the same.

NOTE: The first comma inserted reinserts a comma that was contained in this provision as created by Chapter 160, Laws of 1872, as codified as section 1858 in the Revised Statutes of 1878, and as amended by Chapter 266, Laws of 1882, but was dropped from section 1858 without legislative action in the Annotated Statutes of 1898. The second comma inserted reinserts a comma that was contained in Chapter 160, Laws of 1872, but was dropped from Chapter 266, Laws of 1882, without apparent reason.

~~****NOTE: I made some changes to the revisor's note. Please review. CJS~~

4 **SECTION 106.** 196.52 (9) (b) 8. a. of the statutes is amended to read:

5 196.52 (9) (b) 8. a. The public utility shall have the option, subject to
6 commission approval, to extend the contract, or purchase the electric generating
7 facility or the improvements to an electric generating facility, at fair market value
8 as determined by a valuation process that is conducted by an independent ~~third~~ 3rd
9 party and that is specified in the contract.

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 107.** 223.05 (1) (b) of the statutes is amended to read:

11 223.05 (1) (b) Every security in which trust funds or property are invested shall
12 immediately upon the receipt of the security by the bank, be transferred to the bank
13 in its fiduciary capacity for the particular trust or fund by name and be entered in
14 the proper records as belonging to the particular trust whose funds have been
15 invested in the security. Any change in the investment of trust funds or property
16 shall be fully specified in the account of the particular trust to which it belongs, so
17 that all trust funds and property shall be readily identified at any time by any person.

NOTE: The stricken language was inserted by 2001 Wis. Act 102 without being underscored. The insertion was unintended.

18 **SECTION 108.** 227.53 (1) (intro.) of the statutes is amended to read:

1 227.53 (1) (intro.) Except as otherwise specifically provided by law, any person
2 aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review of the
3 decision as provided in this chapter and subject to the all of the following procedural
4 requirements:

NOTE: Corrects error in 1999 Wis. Act 85.

5 **SECTION 109.** 234.01 (4) (b) of the statutes is amended to read:

6 234.01 (4) (b) Legal, organizational and marketing expenses, including
7 payment of ~~attorneys'~~ attorney fees, project manager and clerical staff salaries, office
8 rent, and other incidental expenses;

NOTE: Makes spelling consistent with current style and the majority of statutes.

9 **SECTION 110.** 254.345 of the statutes is repealed.

NOTE: By its terms, s. 254.345 has no application after December 31, 2002.

10 **SECTION 111.** 281.36 (2) (b) 2. of the statutes is amended to read:

11 281.36 (2) (b) 2. For purposes of subd. 1., the department shall initially
12 determine whether a complete application has been submitted and, no later than 30
13 days after the application is submitted, notify the applicant in writing about the
14 initial determination of completeness. If the department determines that the
15 application is incomplete, the notice shall state the reason for the determination and
16 the specific items of information necessary to make the application complete. An
17 applicant may supplement and resubmit an application that the department has
18 determined to be incomplete. There is no limit on the number of times that an
19 applicant may resubmit an application that the department has determined to be
20 incomplete under this subdivision. The department may not demand items of
21 information that are not specified in the notice as a condition for determining
22 whether the application is complete unless both the department and the applicant

1 agree or unless the applicant makes material additions or alterations to the project
2 for which the the application has been submitted.

NOTE: Deletes repeated word.

3 **SECTION 112.** 299.83 (5) (c) 1. b. of the statutes is amended to read:

4 299.83 (5) (c) 1. b. Determined by the department to be appropriate to the
5 nature, scale, and environmental impacts of the applicant's operations related to to
6 each covered facility or activity.

NOTE: Deletes repeated word.

7 **SECTION 113.** 299.83 (6m) (d) 2. (intro.) of the statutes is amended to read:

8 299.83 (6m) (d) 2. (intro.) Notwithstanding subd. 1., this state may at any time
9 begin a civil action to collect a forfeiture for a violation if any of the following ~~apply~~
10 applies:

NOTE: Corrects grammar.

11 **SECTION 114.** 299.85 (7) (b) (intro.) of the statutes is amended to read:

12 299.85 (7) (b) (intro.) Notwithstanding par. (a), this state may at any time begin
13 a civil action to collect a forfeiture not limited in amount under par. (a) 2. or 4. for a
14 violation if any of the following ~~apply~~ applies:

NOTE: Corrects grammar.

15 **SECTION 115.** 301.45 (1g) (intro.) of the statutes is amended to read:

16 301.45 (1g) WHO IS COVERED. (intro.) Except as provided in ~~sub.~~ subs. (1m) and
17 (1p), a person shall comply with the reporting requirements under this section if he
18 or she meets one or more of the following criteria:

NOTE: 2003 Wis. Act 50 created s. 301.45 (1p), "Exception to registration requirement; expungement of invasion of privacy adjudication or conviction," but the exception was not added as an exception to the general rule, stated in s. 301.45 (1g), in accordance with current drafting style.

19 **SECTION 116.** 343.12 (7) (c) 6. of the statutes, as created by 2003 Wisconsin Act

20 280, is amended to read:

1 343.12 (7) (c) 6. Felony battery under s. 940.19 (2), (3), (4), (5), or (6).

NOTE: 2001 Wis. Act 109 repealed s. 940.19 (3).

***NOTE: See my change to action phrase. OK? CJS

2 **SECTION 117.** 343.16 (1) (b) 3. (intro.) of the statutes is amended to read:

3 343.16 (1) (b) 3. (intro.) At least annually, the department shall conduct an
4 on-site inspection of the 3rd-party tester to determine compliance with the contract
5 and with department and federal standards for testing applicants for commercial
6 driver licenses and with department standards for testing applicants for school bus
7 endorsements. At least annually, the department shall also evaluate testing given
8 by the ~~3rd-party~~ 3rd party by one of the following means:

NOTE: Corrects spelling.

9 **SECTION 118.** 346.70 (4) (i) 1. of the statutes is amended to read:

10 346.70 (4) (i) 1. As soon as practicable, contact the diplomatic security
11 command center of the office of foreign missions, diplomatic motor vehicle office,
12 within the the federal department of state, to verify the status and immunity, if any,
13 of the driver claiming diplomatic immunity.

NOTE: Deletes repeated word.

14 **SECTION 119.** 401.202 of the statutes is amended to read:

15 **401.202 Prima facie evidence by third party 3rd-party documents.** A
16 document in due form purporting to be a bill of lading, policy or certificate of
17 insurance, official weigher's or inspector's certificate, consular invoice, or any other
18 document authorized or required by the contract to be issued by a ~~third~~ 3rd party
19 shall be prima facie evidence of its own authenticity and genuineness and of the facts
20 stated in the document by the ~~third~~ 3rd party.

NOTE: Makes spelling consistent with current style and the majority of statutes.

21 **SECTION 120.** 402.107 (3) of the statutes is amended to read:

1 402.107 (3) The provisions of this section are subject to any ~~third-party~~
2 3rd-party rights provided by the law relating to realty records, and the contract for
3 sale may be executed and recorded as a document transferring an interest in land
4 and shall then constitute notice to ~~third~~ 3rd parties of the buyer's rights under the
5 contract for sale.

NOTE: Makes spelling consistent with current style and the majority of statutes.

6 **SECTION 121.** 402.305 (1) (c) of the statutes is amended to read:

7 402.305 (1) (c) The price is to be fixed in terms of some agreed market or other
8 standard as set or recorded by a ~~third~~ 3rd person or agency and it is not so set or
9 recorded.

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 122.** 402.312 (2) and (3) of the statutes are amended to read:

11 402.312 (2) A warranty under sub. (1) will be excluded or modified only by
12 specific language or by circumstances which give the buyer reason to know that the
13 person selling does not claim title in himself or herself or that the person selling is
14 purporting to sell only such right or title as the person selling or a ~~third~~ 3rd person
15 may have.

16 (3) Unless otherwise agreed a seller who is a merchant regularly dealing in
17 goods of the kind warrants that the goods shall be delivered free of the rightful claim
18 of any ~~third~~ 3rd person by way of infringement or the like but a buyer who furnishes
19 specifications to the seller must hold the seller harmless against any such claim
20 which arises out of compliance with the specifications.

NOTE: Makes spelling consistent with current style and the majority of statutes.

21 **SECTION 123.** 402.401 (intro.) of the statutes is amended to read:

1 **402.401 Passing of title; reservation for security; limited application**
2 **of this section.** (intro.) Each provision of this chapter with regard to the rights,
3 obligations, and remedies of the seller, the buyer, purchasers, or other ~~third~~ 3rd
4 parties applies irrespective of title to the goods except where the provision refers to
5 such title. Insofar as situations are not covered by the other provisions of this chapter
6 and matters concerning title become material the following rules apply:

NOTE: Makes spelling consistent with current style and the majority of statutes.

7 **SECTION 124.** 402.503 (4) (b) of the statutes is amended to read:

8 402.503 (4) (b) Tender to the buyer of a nonnegotiable document of title or of
9 a written direction to the bailee to deliver is sufficient tender unless the buyer
10 seasonably objects, and receipt by the bailee of notification of the buyer's rights fixes
11 those rights as against the bailee and all ~~third~~ 3rd persons; but risk of loss of the
12 goods and of any failure by the bailee to honor the nonnegotiable document of title
13 or to obey the direction remains on the seller until the buyer has had a reasonable
14 time to present the document or direction, and a refusal by the bailee to honor the
15 document or to obey the direction defeats the tender.

NOTE: Makes spelling consistent with current style and the majority of statutes.

16 **SECTION 125.** 402.515 (2) of the statutes is amended to read:

17 402.515 (2) The parties may agree to a ~~third~~ 3rd party inspection or survey to
18 determine the conformity or condition of the goods and may agree that the findings
19 shall be binding upon them in any subsequent litigation or adjustment.

NOTE: Makes spelling consistent with current style and the majority of statutes.

20 **SECTION 126.** 402.722 (intro.) and (1) of the statutes are amended to read:

1 **402.722 Who can sue third 3rd parties for injury to goods.** (intro.) Where
2 a third 3rd party so deals with goods which have been identified to a contract for sale
3 as to cause actionable injury to a party to that contract:

4 (1) A right of action against the third 3rd party is in either party to the contract
5 for sale who has title to or a security interest or a special property or an insurable
6 interest in the goods; and if the goods have been destroyed or converted a right of
7 action is also in the party who either bore the risk of loss under the contract for sale
8 or has since the injury assumed that risk as against the other;

NOTE: Makes spelling consistent with current style and the majority of statutes.

~~CH~~ ~~CJS~~ ~~***NOTE: I added the punctuation mark that was omitted at the end of sub. (1).~~

9 **SECTION 127.** 404.203 of the statutes is amended to read:

10 **404.203 Effect of instructions.** Subject to ~~to~~ s. 403.420 concerning
11 conversion of instruments and to s. 403.206 concerning restrictive endorsements,
12 only a collecting bank's transferor can give instructions that affect the bank or
13 constitute notice to it and a collecting bank is not liable to prior parties for any action
14 taken pursuant to the instructions or in accordance with any agreement with its
15 transferor.

NOTE: Deletes repeated word.

16 **SECTION 128.** 407.502 (2) of the statutes is amended to read:

17 407.502 (2) Subject to s. 407.503, title and rights so acquired are not defeated
18 by any stoppage of the goods represented by the document or by surrender of such
19 goods by the bailee, and are not impaired even though the negotiation or any prior
20 negotiation constituted a breach of duty or even though any person has been
21 deprived of possession of the document by misrepresentation, fraud, accident,

1 mistake, duress, loss, theft or conversion, or even though a previous sale or other
2 transfer of the goods or document has been made to a ~~third~~ 3rd person.

NOTE: Makes spelling consistent with current style and the majority of statutes.

3 **SECTION 129.** 551.23 (19) (c) 1. (intro.) of the statutes is amended to read:

4 551.23 (19) (c) 1. (intro.) Unless the cause for disqualification is waived under
5 subd. 2., no exemption under par. (a) is available for the securities of an issuer unless
6 the issuer did not know and in the exercise of reasonable care could not have known
7 that any of the following ~~apply~~ applies to any of the persons described in 17 CFR
8 230.262 (a), (b), or (c):

NOTE: Corrects grammar.

9 **SECTION 130.** 560.768 (3) (a) (intro.) of the statutes is amended to read:

10 560.768 (3) (a) (intro.) The department may reduce a limit established under
11 sub. (1) or (2) if the department determines that any of the following ~~apply~~ applies:

NOTE: Corrects grammar.

12 **SECTION 131.** 560.78 (2) (intro.) of the statutes is amended to read:

13 560.78 (2) (intro.) Subsection (1) does not apply if, after a hearing, the
14 department, or the local governing body under sub. (3) (a), determines that any of the
15 following ~~apply~~ applies:

NOTE: Corrects grammar.

16 **SECTION 132.** 605.24 (3) (title) of the statutes is amended to read:

17 605.24 (3) (title) RIGHT OVER AGAINST ~~THIRD~~ 3RD PERSONS.

NOTE: Makes spelling consistent with current style and the majority of statutes.

18 **SECTION 133.** 645.41 (3) of the statutes is amended to read:

19 645.41 (3) That the insurer is engaging in a systematic practice of reaching
20 settlements with and obtaining releases from policyholders or ~~third-party~~ 3rd-party

1 claimants and then unreasonably delaying payment of or failing to pay the agreed
2 upon settlements;

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes.

3 **SECTION 134.** 645.54 (3) (b) of the statutes is amended to read:

4 645.54 (3) (b) *When liens are superior.* A lien obtainable by legal or equitable
5 proceedings could become superior to the rights of a transferee, or a purchaser could
6 obtain rights superior to the rights of a transferee within the meaning of sub. (2), if
7 such consequences would follow only from the lien or purchase itself, or from the lien
8 or purchase followed by any step wholly within the control of the respective
9 lienholder or purchaser, with or without the aid of ministerial action by public
10 officials. Such a lien could not, however, become superior and such a purchase could
11 not create superior rights for the purpose of sub. (2) through any acts subsequent to
12 the obtaining of such a lien or subsequent to such a purchase which require the
13 agreement or concurrence of any ~~third~~ 3rd party or which require any further judicial
14 action, or ruling.

NOTE: Makes spelling consistent with current style and the majority of statutes.

15 **SECTION 135.** 645.62 (1) (a) 7. of the statutes is amended to read:

16 645.62 (1) (a) 7. In the case of any ~~3rd party~~ 3rd-party claim based on a liability
17 policy issued by the insurer, a conditional release of the insured pursuant to s. 645.64
18 (1).

NOTE: Corrects spelling.

19 **SECTION 136.** 645.64 (title) and (1) of the statutes are amended to read:

20 **645.64 (title) Special provisions for ~~third party~~ 3rd-party claims. (1)**
21 **THIRD PARTYS CLAIM.** Whenever any ~~third~~ 3rd party asserts a cause of action against
22 an insured of an insurer in liquidation, the ~~third~~ 3rd party may file a claim with the

1 liquidator. The filing of the claim shall release the insured's liability to the ~~third~~ 3rd
2 party on that cause of action in the amount of the applicable policy limit, but the
3 liquidator shall also insert in any form used for the filing of ~~third-party~~ 3rd-party
4 claims appropriate language to constitute such a release. The release shall be void
5 if the insurance coverage is avoided by the liquidator.

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes.

~~***NOTE: See my change to treatment of section title. CJS~~

6 **SECTION 137.** 645.64 (4) of the statutes is amended to read:

7 645.64 (4) MULTIPLE CLAIMS. If several claims founded upon one policy are filed,
8 whether by ~~third~~ 3rd parties or as claims by the insured under this section, and the
9 aggregate allowed amount of the claims to which the same limit of liability in the
10 policy is applicable exceeds that limit, each claim as allowed shall be reduced in the
11 same proportion so that the total equals the policy limit. Claims by the insured shall
12 be evaluated as in sub. (3). If any insured's claim is subsequently reduced under sub.
13 (3), the amount thus freed shall be apportioned ratably among the claims ~~which~~ that
14 have been reduced under this subsection.

NOTE: Makes spelling consistent with current style and the majority of statutes.

15 **SECTION 138.** 645.68 (3) of the statutes is amended to read:

16 645.68 (3) LOSS CLAIMS. All claims under policies for losses incurred, including
17 ~~third-party~~ 3rd-party claims and federal, state, and local government claims, except
18 the first \$200 of losses otherwise payable to any claimant under this subsection other
19 than the federal government. All claims under life insurance and annuity policies,
20 whether for death proceeds, annuity proceeds, or investment values, shall be treated
21 as loss claims. Claims may not be cumulated by assignment to avoid application of
22 the \$200 deductible provision.

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes.

1 **SECTION 139.** 645.72 (1) of the statutes is amended to read:

2 645.72 (1) PAYMENTS TO CREDITORS. Subject to ch. 646 and under the direction
3 of the court, the liquidator shall pay dividends as promptly as possible to security
4 funds under sub. (2) and to other creditors in a manner that will assure the proper
5 recognition of priorities and a reasonable balance between the expeditious
6 completion of the liquidation and the protection of unliquidated and undetermined
7 claims, including ~~3rd party~~ 3rd-party claims. Distribution of assets in kind may be
8 made at valuations set by agreement between the liquidator and the creditor and
9 approved by the court.

NOTE: Corrects spelling.

10 **SECTION 140.** 646.13 (1) (b) of the statutes is amended to read:

11 646.13 (1) (b) Stand in the position of the insurer in the investigation,
12 compromise, settlement, denial, and payment of claims under s. 646.31 and the
13 defense of ~~3rd party~~ 3rd-party claims against insureds, subject to the limitations of
14 s. 645.43. The fund shall consult and cooperate with the liquidator in carrying out
15 these duties.

NOTE: Corrects spelling.

16 **SECTION 141.** 646.31 (2) (d) of the statutes is amended to read:

17 646.31 (2) (d) ~~Third party~~ Third-party claimants. A claim under a liability or
18 workers' compensation insurance policy, if either the insured or the ~~3rd party~~
19 3rd-party claimant was a resident of this state at the time of the insured event.

NOTE: Corrects spelling.

20 **SECTION 142.** 646.35 (8) (d) (intro.) of the statutes is amended to read:

1 646.35 (8) (d) (intro.) If the fund transfers its obligations to another insurer
2 and the fund and other insurer agree, unless the the fund has previously expressly
3 determined in writing that it will not exercise an election under par. (b), the other
4 insurer succeeds to the rights and obligations of the fund under pars. (b) and (c),
5 regardless of whether the fund has exercised an election under par. (b). If the other
6 insurer succeeds to the fund's rights and obligations under pars. (b) and (c):

NOTE: Deletes repeated word.

7 **SECTION 143.** 700.215 (title) of the statutes is amended to read:

8 **700.215 (title) Exception for equitable rights of cotenants and ~~third~~ 3rd**
9 **persons.**

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 144.** 700.40 (4) (intro.) of the statutes is amended to read:

11 700.40 (4) VALIDITY OF CONSERVATION EASEMENT. (intro.) A conservation
12 easement is valid even though any of the following ~~apply~~ applies:

NOTE: Corrects grammar.

13 **SECTION 145.** 701.19 (11) of the statutes is amended to read:

14 701.19 (11) PROTECTION OF ~~THIRD~~ 3RD PARTIES. With respect to a ~~third~~ 3rd person
15 dealing with a trustee or assisting a trustee in the conduct of a transaction, the
16 existence of trust power and its proper exercise by the trustee may be assumed
17 without inquiry. The ~~third~~ 3rd person is not bound to inquire whether the trustee
18 has power to act or is properly exercising the power; and a ~~third~~ 3rd person, without
19 actual knowledge that the trustee is exceeding the trustee's powers or improperly
20 exercising them, is fully protected in dealing with the trustee as if the trustee
21 possessed and properly exercised the powers the trustee purports to exercise. A ~~third~~

1 3rd person is not bound to assure the proper application of trust property paid or
2 delivered to the trustee.

NOTE: Makes spelling consistent with current style and the majority of statutes.

3 **SECTION 146.** 702.05 (3) (title) of the statutes is amended to read:

4 702.05 (3) (title) CONSENT OF ~~THIRD~~ 3RD PERSONS.

NOTE: Makes spelling consistent with current style and the majority of statutes.

5 **SECTION 147.** 704.05 (5) (c) (title) of the statutes is amended to read:

6 704.05 (5) (c) (title) *Rights of ~~third~~ 3rd persons.*

NOTE: Makes spelling consistent with current style and the majority of statutes.

7 **SECTION 148.** 767.25 (4m) (e) 1. of the statutes is amended to read:

8 767.25 (4m) (e) 1. If a parent who has been ordered by a court to provide
9 coverage of the health care expenses of a child who is eligible for medical assistance
10 under subch. IV of ch. 49 receives payment from a 3rd party for the cost of services
11 provided to the child but does not pay the health care provider for the services or
12 reimburse the department or any other person who paid for the services on behalf
13 of the child, the department may obtain a judgment against the parent for the
14 amount of the ~~3rd party~~ 3rd-party payment.

NOTE: Corrects spelling.

15 **SECTION 149.** 778.30 (2) (a) 1. of the statutes is amended to read:

16 778.30 (2) (a) 1. Upon entry of the assignment under sub. (1) (b), unless the
17 court finds that income withholding is likely to cause the defendant irreparable
18 harm, the clerk of circuit court shall provide notice of the assignment by regular mail
19 to the last-known address of the person from whom the defendant receives or will
20 receive money. If the clerk of circuit court does not receive the money from the person
21 notified, the ~~the~~ clerk of circuit court shall provide notice of the assignment to any
22 other person from whom the defendant receives or will receive money. Notice of an

1 assignment under sub. (1) (b) shall inform the intended recipient that, if a prior
2 assignment under sub. (1) (b) has been received relating to the same defendant, the
3 recipient is required to notify the clerk of circuit court that sent the subsequent notice
4 of assignment that another assignment has already been received. A notice of
5 assignment shall include a form permitting the recipient to designate on the form
6 that another assignment has already been received.

NOTE: Deletes repeated word.

7 **SECTION 150.** 802.01 (1) of the statutes is amended to read:

8 802.01 (1) PLEADINGS. There shall be a complaint and an answer; a reply to a
9 counterclaim denominated as such; an answer to a cross-claim, if the answer
10 contains a cross-claim; a ~~third-party~~ 3rd-party complaint, if a person who was not
11 an original party is summoned under s. 803.05, and a ~~third-party~~ 3rd-party answer,
12 if a ~~third-party~~ 3rd-party complaint is served. No other pleading shall be allowed,
13 except that the court may order a further pleading to a reply or to any answer.

INS J

NOTE: Makes spelling consistent with current style and the majority of statutes.

14 **SECTION 151.** 802.08 (1) of the statutes is amended to read:

15 802.08 (1) AVAILABILITY. A party may, within 8 months of the filing of a
16 summons and complaint or within the time set in a scheduling order under s. 802.10,
17 move for summary judgment on any claim, counterclaim, cross-claim, or ~~3rd party~~
18 3rd-party claim which is asserted by or against the party. Amendment of pleadings
19 is allowed as in cases where objection or defense is made by motion to dismiss.

NOTE: Corrects spelling.

20 **SECTION 152.** 803.02 (1) of the statutes is amended to read:

21 803.02 (1) A party asserting a claim to relief as an original claim, counterclaim,
22 cross-claim, or ~~3rd party~~ 3rd-party claim, may join, either as independent or as

1 alternate claims, as many claims, legal or equitable, as the party has against an
2 opposing party.

NOTE: Corrects spelling.

3 **SECTION 153.** 803.03 (2) (b) 3. of the statutes is amended to read:

4 803.03 (2) (b) 3. Except as provided in par. (bm), if the party joined chooses to
5 have his or her interest represented by the party who caused the joinder, the party
6 joined shall sign a written waiver of the right to participate that shall express
7 consent to be bound by the judgment in the action. The waiver shall become binding
8 when filed with the court, but a party may withdraw the waiver upon timely motion
9 to the judge to whom the case has been assigned with notice to the other parties. A
10 party who represents the interest of another party and who obtains a judgment
11 favorable to the other party may be awarded reasonable ~~attorneys~~ attorney fees by
12 the court.

NOTE: Makes spelling consistent with current style and the majority of statutes.

13 **SECTION 154.** 803.05 (1) of the statutes is amended to read:

14 803.05 (1) At any time after commencement of the action, a defending party,
15 as a ~~third-party~~ 3rd-party plaintiff, may cause a summons and complaint to be
16 served upon a person not a party to the action who is or may be liable to the defending
17 party for all or part of the plaintiff's claim against the defending party, or who is a
18 necessary party under s. 803.03. The ~~third-party~~ 3rd-party plaintiff need not obtain
19 leave to implead if he or she serves the ~~third-party~~ 3rd-party summons and
20 ~~third-party~~ 3rd-party complaint not later than 6 months after the summons and
21 complaint are filed or the time set in a scheduling order under s. 802.10; thereafter,
22 the ~~third-party~~ 3rd-party plaintiff must obtain leave on motion upon notice to all
23 parties to the action. The person served with the summons and ~~third-party~~

1 ~~3rd-party~~ complaint, hereinafter called the ~~third-party~~ ~~3rd-party~~ defendant, shall
2 make defenses to the ~~third-party~~ ~~3rd-party~~ plaintiff's claim as provided in s. 802.06
3 and counterclaims against the ~~third-party~~ ~~3rd-party~~ plaintiff and cross-claims
4 against any other defendant as provided in s. 802.07. The ~~third-party~~ ~~3rd-party~~
5 defendant may assert against the plaintiff any defenses which the ~~third-party~~
6 ~~3rd-party~~ plaintiff has to the plaintiff's claim. The ~~third-party~~ ~~3rd-party~~ defendant
7 may also assert any claim against the plaintiff if the claim is based upon the same
8 transaction, occurrence or series of transactions or occurrences as is the plaintiff's
9 claim against the ~~third-party~~ ~~3rd-party~~ plaintiff. The plaintiff may assert any claim
10 against the ~~third-party~~ ~~3rd-party~~ defendant if the claim is based upon the same
11 transaction, occurrence or series of transactions or occurrences as is the plaintiff's
12 claim against the ~~third-party~~ ~~3rd-party~~ plaintiff, and the ~~third-party~~ ~~3rd-party~~
13 defendant thereupon shall assert defenses as provided in s. 802.06 and
14 counterclaims and cross-claims as provided in s. 802.07.

NOTE: Makes spelling consistent with current style and the majority of statutes.

15 **SECTION 155.** 804.05 (3) (b) 5. of the statutes is amended to read:

16 804.05 (3) (b) 5. In this subsection, the terms "defendant" and "plaintiff"
17 include officers, directors, and managing agents of corporate defendants and
18 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.
19 A defendant who asserts a counterclaim or a cross-claim shall not be considered a
20 plaintiff within the meaning of this subsection, but a ~~3rd party~~ ~~3rd-party~~ plaintiff
21 under s. 803.05 (1) shall be so considered with respect to the ~~3rd party~~ ~~3rd-party~~
22 defendant.

NOTE: Corrects spelling.

23 **SECTION 156.** 805.04 (3) of the statutes is amended to read:

1 805.04 (3) COUNTERCLAIM, CROSS-CLAIM, AND ~~3RD-PARTY~~ 3RD-PARTY CLAIM. This
2 section applies to the voluntary dismissal of any counterclaim, cross-claim, or 3rd
3 party 3rd-party claim. A voluntary dismissal by the claimant alone shall be made
4 before a responsive pleading is served, or if there is none, before the introduction of
5 evidence at the trial or hearing.

NOTE: Corrects spelling.

6 **SECTION 157.** 805.05 (2) of the statutes is amended to read:

7 805.05 (2) SEPARATE TRIALS. The court, in furtherance of convenience or to avoid
8 prejudice, or when separate trials will be conducive to expedition or economy, or
9 pursuant to s. 803.04 (2) (b), may order a separate trial of any claim, cross-claim,
10 counterclaim, or ~~3rd-party~~ 3rd-party claim, or of any number of claims, always
11 preserving inviolate the right of trial in the mode to which the parties are entitled.

NOTE: Corrects spelling.

12 **SECTION 158.** 805.07 (2) (b) of the statutes is amended to read:

13 805.07 (2) (b) Notice of a ~~third-party~~ 3rd-party subpoena issued for discovery
14 purposes shall be provided to all parties at least 10 days before the scheduled
15 deposition in order to preserve their right to object. If a ~~third-party~~ 3rd-party
16 subpoena requests the production of books, papers, documents, or tangible things
17 that are within the scope of discovery under s. 804.01 (2) (a), those objects shall not
18 be provided before the time and date specified in the subpoena. The provisions under
19 this paragraph apply unless all of the parties otherwise agree.

NOTE: Makes spelling consistent with current style and the majority of statutes.

20 **SECTION 159.** 805.14 (9) of the statutes is amended to read:

1 805.14 (9) INVOLUNTARY DISMISSAL OF COUNTERCLAIM, CROSS-CLAIM, OR ~~3RD-PARTY~~
2 ~~3RD-PARTY~~ CLAIM. This section applies to counterclaims, cross-claims, and ~~3rd party~~
3 ~~3rd-party~~ claims.

NOTE: Corrects spelling.

4 **SECTION 160.** 809.80 (3) (b) 2. of the statutes is amended to read:

5 809.80 (3) (b) 2. Delivered to a ~~third-party~~ 3rd-party commercial carrier for
6 delivery to the clerk within 3 calendar days.

NOTE: Makes spelling consistent with current style and the majority of statutes.

7 **SECTION 161.** 809.80 (4) (a) of the statutes is amended to read:

8 809.80 (4) (a) When a brief or appendix is filed by mail or commercial carrier
9 in accordance with s. 809.80 (3) (b), the attorney or person filing the document shall
10 append a certification or affidavit setting forth the date and manner by which the
11 document was mailed or delivered to a ~~third-party~~ 3rd-party commercial carrier.

NOTE: Makes spelling consistent with current style and the majority of statutes.

12 **SECTION 162.** 810.11 of the statutes is amended to read:

13 **810.11 Claims of ~~third~~ 3rd parties; indemnity to officer.** If the property
14 taken is claimed by a 3rd person, the 3rd person may make application to the judge
15 or judicial officer under ss. 810.02 and 810.03 for an order directing that the 3rd
16 person be given delivery of the property so claimed. Any person having possession
17 of the property may move the court to vacate or modify the order directing delivery
18 to the ~~3rd party~~ 3rd-party claimant, or post bond in the same manner provided for
19 the defendant.

NOTE: Makes spelling consistent with current style and the majority of statutes.

20 **SECTION 163.** 822.07 (3) (c) of the statutes is amended to read:

1 822.07 (3) (c) If substantial evidence concerning the child's present or future
2 care, protection, training, and personal relationships is more readily available in
3 another state;

NOTE: Corrects punctuation.

4 **SECTION 164.** 822.07 (7) of the statutes is amended to read:

5 822.07 (7) If it appears to the court that it is clearly an inappropriate forum it
6 may require the party who commenced the proceedings to pay, in addition to the costs
7 of the proceedings in this state, necessary travel and other expenses, including
8 attorneys' attorney fees, incurred by other parties or their witnesses. Payment is to
9 be made to the clerk of the court for remittance to the proper party.

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 165.** 822.08 (3) of the statutes is amended to read:

11 822.08 (3) In appropriate cases a court dismissing a petition under this section
12 may charge the petitioner with necessary travel and other expenses, including
13 attorneys' attorney fees, incurred by other parties or their witnesses.

NOTE: Makes spelling consistent with current style and the majority of statutes.

14 **SECTION 166.** 822.15 (2) of the statutes is amended to read:

15 822.15 (2) A person violating a custody decree of another state which makes
16 it necessary to enforce the decree in this state may be required to pay necessary
17 travel and other expenses, including attorneys' attorney fees, incurred by the party
18 entitled to the custody or his or her witnesses.

NOTE: Makes spelling consistent with current style and the majority of statutes.

19 **SECTION 167.** 880.75 (2) of the statutes is amended to read:

20 880.75 (2) SECURITY TRANSACTIONS INVOLVING MINORS; LIABILITY. A bank, broker,
21 issuer, ~~third~~ 3rd party, or transfer agent incurs no liability by reason of his or her
22 treating a minor as having capacity to transfer a security, to receive or to empower

1 others to receive dividends, interest, principal, or other payments or distributions,
2 to vote or give consent in person or by proxy, or to make elections or exercise rights
3 relating to the security, unless prior to acting in the transaction the bank, broker,
4 issuer, ~~third~~ 3rd party, or transfer agent had received written notice in the office
5 acting in the transaction that the specific security is held by a minor or unless an
6 individual conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party,
7 or transfer agent had actual knowledge of the minority of the holder of the security.
8 Except as otherwise provided in this section, such a bank, broker, issuer, ~~third~~ 3rd
9 party, or transfer agent may assume without inquiry that the holder of a security is
10 not a minor.

NOTE: Makes spelling consistent with current style and the majority of statutes.

11 **SECTION 168.** 880.75 (3) of the statutes is amended to read:

12 880.75 (3) ACTS OF MINORS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. A minor,
13 who has transferred a security, received or empowered others to receive dividends,
14 interest, principal, or other payments or distributions, voted or given consent in
15 person or by proxy, or made an election or exercised rights relating to the security,
16 has no right thereafter, as against a bank, broker, issuer, ~~third~~ 3rd party, or transfer
17 agent to disaffirm or avoid the transaction, unless prior to acting in the transaction
18 the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent against whom the
19 transaction is sought to be disaffirmed or avoided had received notice in the office
20 acting in the transaction that the specific security is held by a minor or unless an
21 individual conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party,
22 or transfer agent had actual knowledge of the minority of the holder.

NOTE: Makes spelling consistent with current style and the majority of statutes.

23 **SECTION 169.** 880.76 (2) of the statutes is amended to read:

1 880.76 (2) SECURITY TRANSACTIONS INVOLVING INCOMPETENT OR SPENDTHRIFT;
2 LIABILITY. A bank, broker, issuer, ~~third~~ 3rd party, or transfer agent incurs no liability
3 by reason of his or her treating an incompetent or spendthrift as having capacity to
4 transfer a security, to receive or to empower others to receive dividends, interest,
5 principal, or other payments or distributions, to vote or give consent in person or by
6 proxy, or to make elections or exercise rights relating to the security, unless prior to
7 acting in the transaction the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent
8 had received written notice in the office acting in the transaction that the specific
9 security is held by a person who has been adjudicated an incompetent or a
10 spendthrift or unless an individual conducting the transaction for the bank, broker,
11 issuer, ~~third~~ 3rd party, or transfer agent had actual knowledge that the holder of the
12 security is a person who has been adjudicated an incompetent or a spendthrift, or
13 actual knowledge of filing of lis pendens as provided in s. 880.215. Except as
14 otherwise provided in this section, such a bank, broker, issuer, ~~third~~ 3rd party, or
15 transfer agent may assume without inquiry that the holder of a security is not an
16 incompetent or spendthrift.

NOTE: Makes spelling consistent with current style and the majority of statutes.

17 ~~SECTION 170.~~ 880.76 (3) of the statutes is amended to read:

18 880.76 (3) ACTS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. An incompetent
19 or spendthrift, who has transferred a security, received or empowered others to
20 receive dividends, interest, principal, or other payments or distributions, voted or
21 given consent in person or by proxy, or made an election or exercised rights relating
22 to the security, has no right thereafter, as against a bank, broker, issuer, ~~third~~ 3rd
23 party, or transfer agent to disaffirm or avoid the transaction, unless prior to acting
24 in the transaction the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent against

1 whom the transaction is sought to be disaffirmed or avoided had received notice in
2 the office acting in the transaction that the specific security is held by a person who
3 has been adjudicated an incompetent or a spendthrift or unless an individual
4 conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party, or transfer
5 agent had actual knowledge that the holder is a person who has been adjudicated an
6 incompetent or a spendthrift, or actual knowledge of filing of lis pendens as provided
7 in s. 880.215.

NOTE: Makes spelling consistent with current style and the majority of statutes.

8 **SECTION 171.** 880.86 (title) of the statutes is amended to read:

9 **880.86 (title) Exemption of ~~third~~ 3rd person from liability.**

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 172.** 880.865 (title) of the statutes is amended to read:

11 **880.865 (title) Liability to ~~third~~ 3rd person.**

NOTE: Makes spelling consistent with current style and the majority of statutes.

12 **SECTION 173.** 895.58 (3) of the statutes is amended to read:

13 895.58 (3) Special waste, when used in a public works project, is exempt from
14 regulation as solid waste under ch. 289 if all of the applicable conditions included in
15 the list ~~compiled~~ compiled under sub. (2) are met.

NOTE: Corrects spelling. The change has been made in the printed volumes.

16 **SECTION 174.** 905.06 (4) of the statutes is amended to read:

17 905.06 (4) EXCEPTIONS. There is no privilege under this section concerning
18 observations or information that a member of the clergy, as defined in s. ~~49.981~~
19 48.981 (1) (cx), is required to report as suspected or threatened child abuse under s.
20 48.981 (2) (bm).

NOTE: Inserts correct cross-reference. "Member of the clergy" is defined at s.
48.981 (1) (cx).

21 **SECTION 175.** 938.34 (4h) (a) of the statutes is amended to read:

938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2) or the juvenile is 10 years of age or over and has been adjudicated delinquent for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

NOTE: Inserts missing "s."

SECTION 176. 939.48 (4) of the statutes is amended to read:

939.48 (4) A person is privileged to defend a ^{3rd} ~~third~~ person from real or apparent unlawful interference by another under the same conditions and by the same means as those under and by which the person is privileged to defend himself or herself from real or apparent unlawful interference, provided that the person reasonably believes that the facts are such that the ~~third~~ ^{3rd} person would be privileged to act in self-defense and that the person's intervention is necessary for the protection of the ~~third~~ ^{3rd} person.

NOTE: Makes spelling consistent with current style and the majority of statutes.

****NOTE: I changed "third" to "3rd" in the first line of this subsection. CJS

SECTION 177. 940.25 (1m) (a) of the statutes is amended to read:

940.25 (1m) (a) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of any combination of sub. (1) (a), (am), or (b), ² any ~~any~~ combination of sub. (1) (a), (am), or (bm), ² any combination of sub. (1) (c), (cm), or (d), ² any combination of ~~or~~ ² sub. (1) (c), (cm), or (e) for acts arising out of the same incident or occurrence.

NOTE: Deletes repeated word.

****NOTE: I think that "any combination of or" should be changed to "or any combination of". As written, the sentence is not quite right. CJS

SECTION 178. 942.01 (1) of the statutes is amended to read:

****NOTE: I think the semi-colons should be restored. They are not contrary to current style and are useful for ~~listing~~ ^{punctuating} a series when some of the members of the series are series themselves. CJS

Conforms punctuation to current style. Corrects placement of "or".

1 942.01 (1) Whoever with intent to defame communicates any defamatory
2 matter to a ~~third~~ 3rd person without the consent of the person defamed is guilty of
3 a Class A misdemeanor.

4 **SECTION 179.** 943.212 (2) (b) 2. of the statutes is amended to read:

5 943.212 (2) (b) 2. ~~Attorneys~~ Attorney fees under s. 799.25 for actions
6 commenced under ch. 799.

NOTE: Makes spelling consistent with current style and the majority of statutes.

7 **SECTION 180.** 973.195 (1r) (d) of the statutes is amended to read:

8 973.195 (1r) (d) If the sentence for which the inmate seek's seeks adjustment
9 is for an offense under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district
10 attorney does not object to the petition within 10 days of receiving notice under par.
11 (c), the district attorney shall notify the ~~the~~ victim, as defined under s. 950.02 (4), of
12 the inmate's petition. The notice to the victim shall include information on the
13 sentence adjustment petition process under this subsection, including information
14 on how to object to the inmate's petition. If the victim objects to adjustment of the
15 inmate's sentence within 45 days of the date on which the district attorney received
16 notice under par. (c), the court shall deny the inmate's petition.

NOTE: Deletes repeated word and corrects spelling.

17 **SECTION 181.** 980.101 (3) of the statutes is amended to read:

18 980.101 (3) An appeal may be taken from an ~~an~~ order entered under sub. (2)
19 as from a final judgment.

NOTE: Deletes repeated word.

20 **SECTION 182.** 2003 Wisconsin Act 327, section 30, is amended by replacing

21 "196.204 (5) (ar) 2. of the statutes, as created by 2003 Wisconsin Act 278, is amended

1 to read:" with "196.204 (5) (ar) 2. (intro.) of the statutes, as created by 2003 Wisconsin
2 Act 278, is amended to read:".

NOTE: This provision only affected s. 196.204 (5) (ar) 2. (intro.).

3 **SECTION 183.** 2005 Wisconsin Act 22, section 48 is amended by replacing
4 "~~45.356 (9) (a) and (b)~~" with "~~45.356 (9) (a) or (b)~~".

NOTE: Corrects stricken text.

5 **SECTION 184.** 2005 Wisconsin Act 22, section 95 is amended by replacing "the
6 ~~Wisconsin Veterans Home at King and the nursing care facility~~" with "the Wisconsin
7 ~~Veterans Home at King or to the nursing care facility~~".

NOTE: Corrects stricken text.

8 **SECTION 185.** 2005 Wisconsin Act 22, section 98 is amended by replacing "~~in~~
9 ~~the Wisconsin Veterans Home at King and the nursing care facility~~" with "~~in the~~
10 ~~Wisconsin Veterans Home at King and in the nursing care facility~~".

NOTE: Corrects stricken text.

11 **SECTION 186.** 2005 Wisconsin Act 22, section 102 is amended by replacing
12 "~~chiropractic examining board, and board of nursing~~" with "~~chiropractic examining~~
13 ~~board, and board of nursing~~".

NOTE: The comma was inserted without being underscored. The change was intended.

14 **SECTION 187. Effective date.**

15 (1) The treatment of section 23.325 (1) (a) of the statutes takes effect on July
16 1, 2005.

****NOTE: Effective date provision can be removed since July 1 has passed — OK?
If it is retained, it has to be put into proper format (I will take care of this). CJS

17 (END)

INS Q

④ ~~****~~ Note: Section 23.0915(2) should not be repealed, according to Mary Gibson-Glass, and therefore this cross-reference should not be treated in the bill. ~~*****~~ CJS

(see 4-star note following treatment of that statute)

SA ✓
x-12/5

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

④ ***** NOTE: 2005 Wis. Act 45 makes this same change, as well as other changes, eff 12-1-2005. Can this bill section be removed? CJS

1

2

Accordingly ↗
SECTION 1. 16.115 (3) (c) of the statutes is repealed.

INS A

NOTE: Section 16.115(3) (intro.) and (c) provide: "The fees established under subs. (1) and (2) shall cover all of the following costs: (c) The actual and necessary expenses of the low-level radioactive waste advisory council created under s. 15.107 (9)." Section s. 15.107 (9) is repealed by this bill as by its terms ~~that provision~~ has no application after June 30, 2002. ~~As such~~ there are no actual and necessary expenses of ~~of~~ the low-level radioactive waste advisory council after June 30, 2002. (it) e

3

SECTION 2. 20.143 (3) (j) of the statutes is amended to read:

INS B

4

20.143 (3) (j) *Safety and building operations.* The amounts in the schedule for

5

the purposes of chs. 101, 145, and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m),

6

and 236.335. All moneys received under ch. 145, ss. 101.177 (4) (a) 4., 101.178,

7

101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.9205 (3), ~~101.9208 (1) (b),~~

8

101.9213 (8), 101.935, 101.951 (2), 101.952 (2), 101.955 (2), 101.973 (7), and 236.12

9

(7), and 2001 Wisconsin Act 16, section 9110 (3z), shall be credited to this

10

appropriation.

NOTE: Section 101.9208 (1) (b) is repealed by this bill as by its terms that provision has no application after December 31, 2003. ✓

11

SECTION 3. 23.09 (2q) (intro.) of the statutes is amended to read:

INS C

12

23.09 (2q) WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; LOWER

13

WISCONSIN STATE RIVERWAY; ICE AGE TRAIL. (intro.) ~~Except as provided in s. 23.0915 (2),~~

14

~~the~~ The department in each fiscal year may not expend from the appropriation under

15

s. 20.866 (2) (tz):

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000. ✓

INS
Q

16

SECTION 4. 23.09 (2r) (intro.) of the statutes is amended to read:

17

23.09 (2r) WARREN KNOWLES-GAYLORD NELSON STEWARDSHIP PROGRAM; LAND

18

ACQUISITION. (intro.) ~~Except as provided in s. 23.0915 (2), the~~ The department in each

1 fiscal year may not expend from the appropriation under s. 20.866 (2) (tz) more than
2 a total of \$8,600,000 under this subsection. The purposes for which these moneys
3 may be expended are the following:

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has
no application after June 30, 2000.

INS
Q
4 **SECTION 5.** 23.09 (19) (k) of the statutes is amended to read:

5 23.09 (19) (k) ~~Except as provided in s. 23.0915 (2), the~~ The department may not
6 expend from the appropriation under s. 20.866 (2) (tz) more than \$750,000 in each
7 fiscal year for urban green space under this subsection and for grants for urban green
8 space under s. 23.096.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has
no application after June 30, 2000.

9 **SECTION 6.** 23.09 (20) (d) of the statutes is amended to read:

10 23.09 (20) (d) ~~Except as provided in s. 23.0915 (2), the~~ The department may not
11 expend from the appropriation under s. 20.866 (2) (tz) more than \$2,250,000 each
12 fiscal year for local park aids under this subsection and for grants for this purpose
13 under s. 23.096.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has
no application after June 30, 2000.

14 **SECTION 7.** 23.0915 (2m) (d) of the statutes is repealed.

NOTE: Section 23.0915 (2m) (d) provides for "adjusting expenditure limits under
sub. (2) (a) to (c)." Section 23.0915 (2) is repealed by this bill as by its terms that provision
has no application after June 30, 2000.

15 **SECTION 8.** 23.092 (6) of the statutes is amended to read:

16 23.092 (6) ~~Except as provided in s. 23.0915 (2), the~~ The department may not
17 expend from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under
18 this section for fisheries, for habitat areas and for grants for this purpose under s.
19 23.096 in each fiscal year.

end INS C

INS D

INS
Q

INS D
continued

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000.

SECTION 9. 23.094 (8) of the statutes is amended to read:

23.094 (8) APPROPRIATION. ~~Except as provided in s. 23.0915 (2), the~~ The department may not expend from the appropriation under s. 20.866 (2) (tz) more than \$1,000,000 for fisheries, for the acquisition of land and easements by the department under this section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000.

SECTION 10. 23.175 (4) of the statutes is amended to read:

23.175 (4) LIMIT ON SPENDING. ~~Except as provided in s. 23.0915 (2), the~~ The department may not expend from the appropriation under s. 20.866 (2) (tz) more than \$1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000.

SECTION 11. 23.196 (1) (a) of the statutes is amended to read:

23.196 (1) (a) "Total amount available" means the expenditure limit for the purpose of acquiring land under s. 23.09 (2) (d) 11., ~~as adjusted under s. 23.0915 (2),~~ less the total amount the department has expended, encumbered or otherwise committed for that purpose from the appropriation under s. 20.866 (2) (tz) before July 1, 1996.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000.

SECTION 12. 23.27 (4) of the statutes is amended to read:

23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the intent of the legislature to continue natural areas land acquisition activities from

INS D
continued

1 moneys available from the appropriations under ss. 20.370 (7) (fa) and 20.866 (2) (ta),
2 (ts) and (tz). This commitment is separate from and in addition to the commitment
3 to acquire natural areas under the Wisconsin natural areas heritage program.
4 ~~Except as provided in s. 23.0915 (2), the~~ The department may not expend from the
5 appropriation under s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year for
6 natural areas land acquisition activities under this subsection and for grants for this
7 purpose under s. 23.096.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has
no application after June 30, 2000.

8 **SECTION 13.** 23.27 (5) of the statutes is amended to read:

9 23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN
10 NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate
11 additional natural areas land acquisition activities with moneys available from the
12 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the
13 Wisconsin natural areas heritage program. This commitment is separate from and
14 in addition to the continuing commitment under sub. (4). Moneys available from the
15 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the
16 Wisconsin natural areas heritage program may not be used to acquire land through
17 condemnation. The department may not acquire land under this subsection unless
18 the land is suitable for dedication under the Wisconsin natural areas heritage
19 program and upon purchase or as soon after purchase as practicable the department
20 shall take all necessary action to dedicate the land under the Wisconsin natural
21 areas heritage program. ~~Except as provided in s. 23.0915 (2), the~~ The department
22 may not expend from the appropriation under s. 20.866 (2) (tz) more than \$500,000

⑨ ***** NOTE: This statute is rep'd eff. 12-1-2005 by 2005 Wis. Act 45. Can this bill section be removed? CJS

INS Q

in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

NOTE: Section 23.0915 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2000.

end INS D

SECTION 14. 25.40 (1) (fm) of the statutes is amended to read:

25.40 (1) (fm) All moneys received as fees under s. 101.9208 (1), except fees received under s. 101.9208 (1) (b).

INS E

NOTE: Section 101.9208 (1) (b) is repealed by this bill as by its terms that provision has no application after December 31, 2003.

SECTION 15. 25.46 (19) of the statutes is amended to read:

25.46 (19) The environmental impact fees imposed under ss. 101.9208 (1) (b) and s. 342.14 (1r) for environmental management.

NOTE: Section 101.9208 (1) (b) is repealed by this bill as by its terms that provision has no application after December 31, 2003.

SECTION 16. 29.971 (11) of the statutes is amended to read:

INS F

29.971 (11) For hunting deer without the required approval, during the closed season, with the aid of artificial light or with the aid of an aircraft, ~~except as provided~~ ^{PLAIN COMMA} in s. 29.307 (2), ~~for~~ ^{keep} ~~strike~~ for the snaring of or setting snares for deer, or for the possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both. In addition, the court shall order the revocation of all approvals issued to the person under this chapter and shall prohibit the issuance of any new approval under this chapter to the person for 3 years.

NOTE: Section 29.307 (2) is repealed by this bill as by its terms that provision has no application after June 30, 2004.

⑨ ***** NOTE: I restored a comma that had been struck through. OK? CJS

SECTION 17. 88.08 (4) of the statutes is amended to read:

INS G

88.08 (4) Before any order taxing costs is entered, a petitioner or the board or a person contesting the proceedings shall file with the clerk of the court a duly

⑨ ***** NOTE: 2005 Wis. Act 45 makes this same change, eff. 12-1-2005. Can this bill section be removed? CJS

verified itemized statement of all costs, attorneys' attorney fees, and other liabilities incurred in prosecuting or contesting such proceedings, upon which an order shall be issued requiring the petitioners to show cause why an order taxing costs should not be entered against them for the amount of costs, attorneys' fees and other liabilities. Notice of hearing of such order to show cause shall be given to the petitioners as provided in s. 88.05 (3). Such order need not contain an itemized statement of such account, but shall state where such account is filed.

NOTE: Makes spelling consistent with current style and the majority of statutes.

end
INS G

SECTION 18. 101.9208 (2) of the statutes is amended to read:

101.9208 (2) All fees collected under sub. (1), ~~except fees collected under sub.~~
(1) (b), shall be deposited in the transportation fund.

NOTE: Section 101.9208 (1) (b) is repealed by this bill as by its terms that provision has no application after December 31, 2003.

INS H

SECTION 19. 167.31 (2) (d) of the statutes is amended to read:

167.31 (2) (d) Except as provided in sub. (4) (a), ~~(bg)~~, (cg), (e), and (g), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

NOTE: Section 167.31 (4) (bg) is repealed by this bill as by its terms that provision has no application after June 30, 2004.

INS I

SECTION 20. 802.05 (3) (b) (intro.) of the statutes, as affected by Supreme Court

Order 03-06, is amended to read:

802.05 (3) (b) *Nature of sanction; limitations.* (intro.) A sanction imposed for violation of this rule shall be limited to what is sufficient to deter repetition of such conduct or comparable conduct by others similarly situated. Subject to the limitations in subds. 1. and 2., the sanction may consist of, or include, directives of a nonmonetary nature, an order to pay a penalty into court, or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of some or all of

INS
J

***NOTE: This statute is rpl'd eff. 12-1-2005, by 2005 Wis. Act 45.
Can this bill section be removed? CJS

- 1 the reasonable ~~attorneys'~~ attorney fees and other expenses incurred as a direct result
- 2 of the violation subject to all of the following:

NOTE: Makes spelling consistent with current style and the majority of statutes.

[end INS J]